

Docket No. 7015-4000US2

15866 U.S. PTO
10/695218



↑ AFFIX CUSTOMER NO. LABEL ABOVE ↑

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY APPLICATION AND FEE TRANSMITTAL (\$1.53(b))

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

William A. Hudson, 7419 Lombardy Road, Fox Point, Wisconsin 53217
Raymond Cracauer, 3108 Creek View Drive, Unit 6, Middleton, Wisconsin 53562

☐ Additional inventors are listed on a separate sheet

For: **CHILD-RESISTANT FLUID DELIVERY DEVICE**

Enclosed Are:

12 page(s) of specification
1 page(s) of Abstract
11 page(s) of claims (1-60)
9 sheets of Drawings (FIGS. 1-28)
4 page(s) of Declaration and Power of Attorney

☐ Unsigned

☐ Newly Executed

☒ Copy from co-pending parent application Serial No. 09/850,251
filed on May 7, 2001.

☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☒ **Incorporation by Reference:**

☒ The entire disclosures of the prior application, from which copies of the combined Declaration and Power of Attorney are supplied herein, are considered as being part of the disclosure of the accompanying application and are incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.

☐ Microfiche Computer Program (Appendix)

- ☐ page(s) of Sequence Listing
- ☐ computer readable disk containing Sequence Listing
- ☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☒ **Assignment Papers (assignment cover sheet and assignment documents)**

- ☐ A check in the amount of \$40.00 for recording the Assignment
- ☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____.
- ☒ Assignment Papers filed in the parent application serial no. 09/850,251, filed on May 7, 2001.

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

☐ Priority is claimed under 35 U.S.C. §119 for:

Application No(s). _____, filed _____, in _____ (country).

☐ Certified Copy of Priority Document(s) [_____]

- ☐ filed herewith
- ☐ filed in application Serial No. _____, filed _____.

☐ English translation document(s) [_____]

- ☐ filed herewith
- ☐ filed in application Serial No. _____, filed _____.

☒ **Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. 60/203,721, filed May 12, 2000.**

☒ **Information Disclosure Statement**

- ☐ Copy of [] cited references
- ☒ PTO Form-1449 - All items listed on the enclosed copy of Form PTO-1449 were previously cited by or submitted to the Patent Office in co-pending parent Application Serial No. 09/850,251, filed May 7, 2001, to which the present application claims the benefit of priority under 35 U.S.C. §120.

- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.
- ☒ Preliminary Amendment (10 pages).
- ☒ Return receipt postcard (MPEP 503).
- ☒ This is a ☒ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. 09/850,251 filed May 7, 2001 to which priority under 35 U.S.C. §120 is claimed.
- ☒ Cancel claims 1-6, 10-25 and 29-60 of this application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☒ The status of the parent application is as follows:
- ☐ A Petition To Withdraw From Issue Pursuant To 37 C.F.R. §313(c)(3) in favor of filing a continuation is attached.
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☒ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Express Abandonment Under 37 CFR § 1.138 is attached.
- ☐ Transfer the drawing(s) from the parent application to this application.
- ☐ Letter To Official Draftsperson.
- ☐ Formal Drawings to be substituted for the original drawings filed in the parent application.

- ☒ Amend the specification by inserting before the first line the sentence:
This is ☒ continuation ☐ divisional ☐ continuation-in-part of co-pending
application Serial No. 09/850,251 filed May 7, 2001.

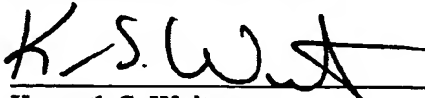
I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$770.00/385.00
Total Claims	29-20 =	9x	\$18.00/ \$9.00	\$ 81.00
Independent Claims	2-3 =	0x	\$86.00/ \$43.00	\$ 0
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$
TOTAL:				\$ 466.00

- ☒ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith.
- ☒ A check in the amount of \$466.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 7015-4000US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: October 27, 2003

By:


Kenneth S. Weitzman
Registration No. 36,306

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): William A. Hudson and Raymond Cracauer

Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: October 27, 2003

Examiner: To Be Assigned

For: CHILD-RESISTANT FLUID DELIVERY DEVICE

EXPRESS MAIL CERTIFICATE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EU064955155US

Date of Deposit: October 27, 2003

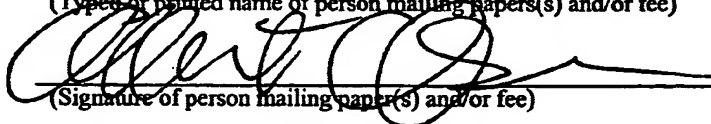
I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Application Fee Transmittal §1.53(b) (in duplicate);
2. copy of Specification (12 pages), Claims 1-60 (11 pages), Abstract (1 page), 9 sheets of Formal Drawings (FIGS. 1-28); Copy of Declaration And Power Of Attorney For Patent Application (4 pages); originally filed in co-pending Application Serial No. 09/850,251;
3. Preliminary Amendment (10 pages);
4. Copy of Recorded Assignment (3 pages);
5. Information Disclosure Statement (3 pages in duplicate);
6. PTO Form 1449 (2 pages);
7. Check in the amount of \$466.00; and
8. Return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALBERT ISLES

(Typed or printed name of person mailing papers(s) and/or fee)



(Signature of person mailing paper(s) and/or fee)

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